

**REMARKS**

Reconsideration and allowance of the claims in the application are requested.

Claims 2-4, 6, 8-11, 14-23, 25-29, 31-33, and 36-44 are pending in the application.

Claims 2-4, 6, 8-11, 31-33, 40, 43 and 44 have been allowed.

Claims 2-4, 6, 8-11, 14-23, 31-33, 40-41 and 43 are objected to due to minor informalities.

Claims 2, 14-23, 25-29, 39, 41-42 have been rejected under 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 36 has been rejected under 35 USC 103 (a) as unpatentable over USP 6,282,489 to K Bellesfield et al, issued August 28, 2001, filed May 28, 1993 (Bellesfield) in view of USP 6,161,131 to Garfinkle, issued December 12, 2000, filed October 2, 1998 (Garfinkle).

Claims 37-39 have been rejected under 35 USC 103 (a) as unpatentable over USP 6,282,489 to Bellesfield et al., issued August 28, 2001, filed May 28, 1993 (Bellesfield), in view of USP 6,161,131 to Garfinkle, issued December 12, 2000, filed October 2, 1998, (Garfinkle) as applied to claim 36 and further in view of USP 6,141,666, to Tobin, issued October 31, 2000, filed January 21, 1997 (Tobin)

Claims 14-17, 20-23, 25, 28-29 and 41-42 have been rejected under 35 USC 103(a) as being unpatentable over USP 6,462,778 B1 to Abram, issued October 8, 2002, filed February 26, 1999 of record in view of USP 6,577,311 to Crosby, issued June 10, 2003, filed November 28, 2000.

Claims 18 and 26 have been rejected under 35 USC 103(a) as being unpatentable over USP 6,462,778 to Abram, issued October 8, 2002, filed February 26, 1999 (Abram) and in view of 6,577,311 to Crosby, issued June 10, 2003, filed November 28, 2000 (Crosby) and further in view of USP 6,282,489 to Bellesfield et al., issued August 28, 2001, filed May 28, 1993 (Bellesfield).

Claims 18 and 26 have been rejected under 35 USC 103(a) as unpatentable over USP 6,462,778 to Abram, issued October 8, 2002, filed February 26, 1999 (Abram), in view of Crosby of record as applied to claims 14-17, 20-23, 25, 28-29, and 41-42 and further in view of USP 6,282,489 to Bellesfield, issued August 28, 2001, filed May 28, 1993 (Bellesfield).

Claims 19 and 27 have been rejected under 35 USC 103(a) as unpatentable over USP 6,462,778 to Abram, issued October 8, 2002, filed February 26, 1999 (Abram), in view of Crosby, of record, as applied to claims 14-17, 20-23, 25, 28-29 and 41-42 above and further in view of USP 6,292,228 B1 to Cho, issued September 18, 2001, filed May 6, 1999 (Cho).

Before responding to the rejections, applicants would like to distinguish Garfinkle from the present invention (Stern), as follows, applicants having previously distinguished Bellesfield, Tobin, Abram, Crosby, and Cho, all of record from Stern:

Garfinkle discloses a digital camera having a button, a processor connected to the digital camera, and a telecommunications line connected to the processor. When the button is pressed the digital camera creates a digital image and sends the digital image to the processor. The processor sends the digital image out to the telecommunications line. The processor may automatically send the digital image out or may wait for inputs from a user before it sends the digital image out. The processor can be connected to an interactive device such as a computer keyboard or computer mouse. The processor is adaptable to receive a user input in the form of an electronic mailing address and the processor can send the digital image out on the telecommunications line to the electronic mailing address. The processor produces a first screen on a computer monitor. The first screen has a field for entering the electronic mailing address, a field for entering a message, and a field for the digital image. The processor preferably sends the digital image to the E-mail address in postcard format with a geographical indication of where its from. Garfinkle fails to disclose the features of Stern, as follows:

A. Garfinkle creates a digital image and sends a digital image to a processor, the processor sending the digital image out to a telecommunication line. Garfinkle fails to disclose accessing location images in a network according to geographical location coordinates, in lieu of taking a picture, as described at page 11, lines 20-22.

B. Garfinkle discloses attaching a geographical indication into a digital image and fails to disclose obtaining a geographical location with coordinates and obtaining location images from a network according to the geographical location coordinate, as described at page 11, lines 13-19.

Summarizing, Bellesfield, Crosby, Abram, Tobin, Cho and Garfinkle, alone or in combination, fail to disclose forwarding a digital image of an object of interest to a network for subsequent processing using network protocols under user control for correlating and recording the digital image with geographical location and descriptive text stored in the server, associated with the object of interest. Garfinkle is limited to processing images at a local server and fails to supply the missing element of processing images in a network server.

The cited art does not disclose, suggest or teach a worker skilled in the art the features claimed in claims 14-23, 25-29, 36-39 and 41-42. There is no support in the cited references for the rejection of claims 14-23, 25-29, 36-39 and 41-42 under 35 USC 103(a). Withdrawal of the rejection and allowance of claims 14-23, 25-29, 36-39 and 41-42 are requested.

Now turning to the rejection, Applicants respond to the indicated paragraphs of the Office Action, as follows:

Regarding Paragraph 1:

The Examiner's comments are noted.

Regarding Paragraph 2:

Claims 9, 40, 41 and 43 have been amended in the manner suggested by the Examiner.

Withdrawal of the objections to claims 2-4, 6, 8-11, 14-23, 31-33, 40-41 and 43 are requested.

Regarding Paragraphs 3/4:

Claims 2, 26, 39, 41 and 42 have been amended in the manner suggested by the Examiner.

Withdrawal of the rejection of claims 2, 14-23, 25-29, 39, 41-42 under 35 USC 112/2 are requested.

Regarding Paragraphs 5 and 6:

Claim 36 includes limitations not disclosed in Bellesfield, as follows:

(i) “providing obtained geographical location coordinates to the network, and obtaining location images from the network according to the provided geographical location coordinates;”

Bellesfield, at col. 5, lines 10-15 and col. 9, lines 3-8, discloses a travel planning apparatus including a routing database having geographic information for roads and places within a geographic region. Garfinkle discloses a user editing an image to include to describe a geographical location. Both Bellesfield and Garfinkle fail to disclose, suggest or teach providing geographical location coordinates to a network and obtaining location images from the network according to the geographical coordinates.

The rejection of claim 36 under 35 USC 103(a) is not supported in the cited art. There is no disclosure suggestion or teaching in the cited references to implement the features of claim 36. Withdrawal of the rejection and allowance of claim 36 under 35 USC 103(a) is requested.

Regarding Paragraph 7:

Claims 37-39 depend from claim 36 and are patentable on the same basis thereof.

Withdrawal of the rejection and allowance of claims 37-39 are requested.

Regarding Paragraph 8:

Claims 14-17, 20-23, 25, 28-29 and 41-42 include limitations not disclosed in Abrams in view of Crosby, as follows:

(i) “communicating with and accessing the remote processing system or workstation;

selecting and associating the descriptive text with the digital image in the workstation...;"(Claim 41)

Abrams fails to disclose the claimed feature and Crosby at col. 14, lines 46-59 and col. 20, lines 65 through col. 21, line 28 discloses a distributed image processing system where a local CPU might receive information from a network or might output the information in the network, but fails to disclose selecting and associating descriptive text with a digital image in the remote processing system, as described at page 10, line 8-21.

Without a disclose in Abrams or Crosby relating to accessing and associating a descriptive test with digital images at a remote processing station, there is no basis for a worker skilled in the art to implement the rejected claims. The rejection of claims 14-17, 20-23, 25, 28-29 and 41-42 under 35 USC 103(a) is not supported in the cited art. Withdrawal of the rejection and allowance of the rejected claims are requested.

Claim 18 further limits claim 41. Claim 26 further limits claim 42. Claims 18 and 26 are patentable on the same basis as their respective base claims. Withdrawal of the rejection under 35 USC 103(a) and allowance of claims 18 and 26 are requested.

Regarding Paragraph 10:

Claims 19 and 27 further limit claims 41 and 42, respectively, and are patentable on the same basis thereof. Withdrawal of the rejection and allowance of claims 19 and 27 under 35 USC 103(a) are requested.

Summarizing, the cited references, alone or in combination, fail to disclose selecting and associating descriptive text with a digital image at a remote processing station, according to provided geographical location coordinates, for reasons indicated in connection with the consideration of claims 36, 41 and 42. Without a disclosure, suggestion or teaching in the cited references, there is no basis for a worker skilled in the art to implement the rejected claims. The rejection of claims 14-23, 25-29, 36-39 and 41-42 under 35 USC 103(a) is without support in the cited art. Withdrawal of the rejection and allowance of the rejected claims are requested.

Serial No. 09/666,864

Response to December 22, 2004 Office Action

Docket No. YOR92000-0301 (1963-7393)

**CONCLUSION:**

Having distinguished the rejected claims from the cited art, amended the claims to overcome the objections and rejection under 35 USC112/2, Applicants request entry of the amendment, allowance of the claims and passage to issue of the case.

**AUTHORIZATION:**


The Commissioner is hereby authorized to charge any additional fees which may be required for the timely consideration of this amendment under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account No. 50-0510, Order No. YOR9-2000-0301 (1963-7393).

Respectfully submitted,

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